

United States Department of the Interior

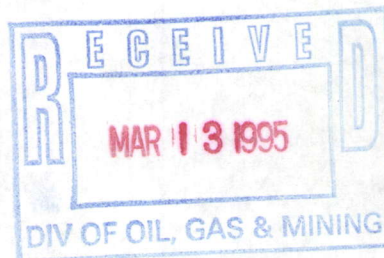
BUREAU OF LAND MANAGEMENT

Moab District
San Rafael Resource Area
900 North 700 East
Price, Utah 84501

3809
(UTU-69856)
(UT-067)

CERTIFIED MAIL--Return Receipt Requested
Certification No. 425 155 738

Mr. Tom Clark
P.O. Box 658
St George, Utah 84770



MAR 10 1995

NOTICE OF DECISION

A field examination conducted on March 6, 1995, of your underground mining operation on the Daddy Dearest mining claim group found that surface mining was occurring, a spur road had been constructed on the south side of the area of operations, and the area disturbed expanded beyond that contained in the original area of operations. It has been determined that none of these changes are included in your notice which is on file at the San Rafael Area Office.

You are not conducting your operations in accordance with your notice and have therefore been found to be operating in noncompliance for failure to submit an amendment to your notice prior to making the changes pursuant to 43 Code of Federal Regulations 3809.1-3.

You shall submit an amended notice, including a map, to the San Rafael Area Office within 10 days from the receipt of this Notice of Noncompliance. The amendment shall address all changes, including reclamation. Failure to comply with this Notice of Noncompliance shall result in you being required to submit a plan of operations and submit a reclamation bond.

You have the right to appeal to the Utah State Director, Bureau of Land Management in accordance with 43 Code of Federal Regulations 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing within 30 days from the date of this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

PENELOPE J. DUNN

Area Manager

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 297
Castle Dale, Utah 84513

Kiran Bhayani
Utah Department of Environmental Health
Division of Water Quality
P.O. Box 144870
Salt Lake City, Utah 84114-4870

Tony Gallegos
Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center
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